

June 26, 2014

The Marion County Council held its regularly scheduled meeting, and public hearing on Thursday, June 26, 2014 at 7:00 P.M., in the City Council Chambers City Hall, Marion, South Carolina. Members present were Buddy Collins, Chairman; Elista H. Smith, Vice Chairperson; John Q. Atkinson, Jr., Simon Jenkins, Thomas E. Shaw and Milton W. Troy, II. Also present were G. Timothy Harper, Administrator; Kent M. Williams, Deputy Administrator; Charles L. McLain III, County Attorney; and Sabrina Davis, Clerk to Council. A representative from the Star & Enterprise and New 13 was present and duly notified.

Chairman Collins called the meeting to order and asked Councilman Simon Jenkins to lead the Invocation, after which he welcomed visitors and read the Freedom of Information Announcement.

Motion was made by Mr. Jenkins seconded by Mr. Shaw, and carried unanimously, to approve as written, the minutes of the budget workshop held on May 29, 2014.

Motion was made by Vice Chairperson Smith, seconded by Mr. Jenkins, and carried unanimously, to approve as written, the minutes of the regular meeting held on June 10, 2014.

Motion was made by Vice Chairperson Smith, seconded by Mr. Shaw, and carried unanimously, to recess the regular meeting and open public hearing for Ordinance #2014-06.

The County Attorney opened the floor to the public for questions. There were no questions from the public regarding this ordinance.

Motion was made by Vice Chairperson Smith, seconded by Mr. Jenkins, and carried unanimously, to close the public hearing and reconvene the regular meeting.

The County Attorney stated that item A. B. & C. second and third reading for the ordinance listed on the agenda as follows were not ready: A. Second Reading of Ordinance #2014-03 An Ordinance to Authorize the Lease of the Marion County Tax Parcel Number 121-00-00-033-000, more commonly referred to as the Old Marion County Landfill at Ariel Crossroads to Benjie Andrew for the sole purpose of cattle grazing under the terms of the lease attached hereto and made a part hereof, B. Second Reading of Ordinance #2014-05, An Ordinance Authorizing the Lease, and all other matters required thereto, of certain Real Property Owned by Marion County Designated as Tax ID Number 055-00-00-121 & 127 to Project NY1; C. Third Reading of Ordinance #2014-06 Fiscal Year Budget 2014-2015.

The County Attorney requested that item B. Second Reading of Ordinance #2014-05, An Ordinance Authorizing the Lease, and all other matters required thereto, of certain Real Property Owned by Marion County Designated as Tax ID Number 055-00-00-121 & 127 to Project NY1 is removed from the agenda. Motion was made by Mr. Atkinson, seconded by Mr. Jenkins, and carried unanimously.

The Administrator stated that item C; Third Reading of Ordinance #2014-06 Fiscal Year Budget 2014-2015 was ready: Mr. Harper told Council that the budget includes an increase of 1.1% increasing from \$17,161,152 to \$17,354,317. He stated that the increases are in health insurance and the cost of living. The budget includes a 2 mil increase a 3% cost of living and 2 new positions at the Prison Camp, which is required by the Department of Corrections. There are no new fees are fee increases. Mr. Harper asked Council's approval on the 2014-2015 Fiscal Year Budget. Motion was made by Mr. Atkinson, seconded by Mr. Jenkins; to approve third reading of Ordinance #2014-06. Mr. Atkinson stated that the LGF was cut over \$400,000 from the State. He stated that the County has done a good job in cutting expenses. Mr. Troy mentioned during the budget workshop there were a few positions that were looked into for review. He stated that the information presented had eight positions and the PR person was not listed. Mr. Harper stated that the position was added, but the job description had to be revised. Mr. Troy stated that he does not have anything in writing indicating where the ninth position was listed. Mr. Troy stated therefore he could not vote for the budget. Mr. Harper told Mr. Troy that the ninth position could be added. Mr. Atkinson amended his motion to reflect the change in the budget to add the ninth position for classification changes. Mr. Jenkins amended his seconded. The motion carried unanimously, to approve third reading of Ordinance #2014-06 Fiscal Year Budget 2014-2015.

There was no report given by Committee #1. Chairman Collins stated that Committee #1 has a meeting pending.

Vice Chairperson Smith stated that the Administrator would discuss the report from Committee #2.

Mr. Lucian Cooke with Lucorja Adult Care Home, Inc. appeared before Council to give a brief presentation. Mr. Cooke told Council that their mission is enriching the quality of life for adults, especially the elderly. Providing comprehensive services and care in a safe, empowering atmosphere. He stated that Lucorja Adult Care Home, Inc. can provide with community support, collaboration with various agencies, national partners and leaders across all sectors to improve health care and support services for low and moderate income adults, especially the elderly of rural communities and counties of South Carolina. He stated that LACH would like to build a campus with continuum care, where residents of campus can transition from one level of care to the next. Mr. Cooke stated that LACH is working with USDA in reference to funding this project. He stated that there is no cost to the County. Mr. Cooke stated that he needs board members from Marion County to support the idea. Mr. Troy stated that this said matter needs to be researched further. Chairman Collins thanked Mr. Cooke for his presentation.

The Administrator told Council that Committee #2 met with Ms. Jen Nall, and Ms. Sandra Napier from Paws to the Rescue on Monday June 16th to discuss the animal shelter contract. Mr. Harper stated that it was the recommendation of the committee to renew Paws to the Rescue contract in addition that an audit is submitted on an annual basis. It was the recommendation of the Administrator to award the contract to Paws to the Rescue for a period of one year with a three year individual rollover. Vice Chairperson Smith stated that Ms. Nall was asked about the length of time it would take to have their first audit completed. Mr. Harper stated that he received an email stating that Mr. Craig Martin would be the treasurer for Paws to the Rescue. Mr. Harper stated that Mr. Craig Martin does not prepare audits. He stated that Paws to the Rescue was referred to Kenneth Cobb & Company. Vice Chairperson Smith stated that this was the determining factor that a yearly audit would be completed, but the committee wanted an audit prepared as soon as possible with a date and time. Vice Chairperson Smith stated that she wanted to have the information in writing. Mr. Meetz stated that Kenneth Cobb did not have a date on how long it would take to complete the audit. Mr. Harper asked Council to schedule a special called meeting on Monday June 30th at 5:00 p.m. to discuss this matter further.

The Administrator passed out copies of the Sheriff's Department Mutual Aid Agreements between Darlington, Dillon, Florence, and Horry County, City of Marion, Mullins and the Town of Nichols. Mr. Harper asked Council's approval on the Mutual Aid Agreements. Motion was made by Mr. Shaw, seconded by Mr. Jenkins, and carried unanimously.

Minutes, June 26, 2014, Page 4

The Administrator passed out copies of the School Resource Officer Program Agreement. Mr. Harper stated that the SRO was assigned to Creek Bridge and Academy for Careers and Technology. Mr. Harper stated that last years agreement was \$71,000.00. He stated with the overtime etc, for these two officers are around \$97,499.00. Mr. Harper asked Council's approval to change the agreement from \$71,000.00 to \$97,499.00 and resubmit the agreement back to the school district to reflect the change. After a brief discussion by members of Council; Mr. Harper stated that the County submits a request to the school district for whatever is written in the contract. Motion was made by Mr. Atkinson, seconded by Vice Chairperson Smith; Mr. Troy stated that the entire procedures need to be look into on how money is drafted etc. Chairman Collins asked Mr. Harper to inquire if the SRO's accompany the schools with out of town ball games. Mr. Harper stated that the Sheriff's Department supervises the SRO's. The motion carried.

The Administrator passed out copies of a lease agreement with the City of Mullins in reference to the communications tower. Mr. Harper stated that the initial term of the lease is long term with one dollar per year. Mr. Harper asked Council's approval to move forward with the lease agreement. Motion was made by Mr. Troy, seconded by Mr. Jenkins, and carried unanimously.

The County Attorney presented to Council a case in reference to Dennis N. Lambries vs. Saluda County regarding the County's inability to modify the agenda once the agenda is published. Mr. McLain stated that the Supreme Court conclude FOIA's notice statute does not require an agenda to be issued. He stated therefore; there is no requirement that Council cannot amend the agenda. Mr. McLain told Council that any amendment to the agenda can take place, but it has to fit the Council's Rule and Procedures.

The County Attorney told Council that he received a complaint in reference to a road closure in the southern part of the County. Mr. McLain stated that Captain Perry Road starts at Hwy 908 and intersect with Pirate Road. He stated that Thad & Terry Williams are requesting the road to be closed. Mr. McLain also brought up Warner Road that connects Koonce Siding Road to Penderboro Road in reference to a farm. He stated that the County will have to take action on this said matter.

The Administrator had nothing new to report in reference to the New Administration Building.

The Administrator updated Council on the Capital Sales Tax. Mr. Harper told Council that the projects in Mullins, Marion, Nichols, and Sellers are moving forward. He stated that background work has begun regarding the fire station in Britton's Neck, and the engineering on the infrastructure at the industrial park. Mr. Harper also stated that the next project on the list should be the Saffold Building.

The Administrator provided to Council a breakdown in reference to the debris removal costs for the County. Mr. Harper told Council that the County's share is \$406,837.71. He stated that the money has to be paid to the contractors before the County can get reimbursed by FEMA. Motion was made by Mr. Troy, to submit a request to the Legislation Delegation for additional funding to assist with the storm debris removal. The motion was seconded by Mr. Shaw, and carried unanimously.

The Administrator told Council that the Independence Day Celebration will be held on Friday, July 4th at Smith Haven Park in Mullins.

The Administrator told Council that he met with Mayor Bobby Davis in reference to a request to use the airport. He stated that there is a group that demonstrates remote control airplanes and helicopters etc. Mr. Harper stated that the event will be held on Saturday July 26th. Mr. Harper asked Council's permission to notify Mayor Davis that the County is willing to work together on this project. Motion was made by Mr. Atkinson, seconded by Mr. Troy, and carried unanimously.

The Administrator reported to Council that the County received a \$50,000 Regional Planning Grant.

Mr. Troy thanked Council for their support during his re-election. Mr. Troy brought up the discussion that was held at a previous meeting regarding a meeting with the appropriate individuals regarding water and sewer for Marion County. Chairman Collins stated that a meeting was held regarding Locus Tree Landing. He also stated the Mr. Fred Richardson attended the meeting. Mr. Richardson was also going to arrange another meeting to discuss this said matter further. Mr. Harper stated that he would check with Mr. Richardson regarding the water and sewer matter. Mr. Troy wanted to know if Council can expect a written response from Mr. Richardson in reference to arranging a meeting. The County Attorney told Council that he had contacted Marco's attorney and also submitted a request for whatever they have that shows this is Marco's franchise or rights etc. Mr. McLain stated that he has not received a response. Chairman Collins stated that Council should pursue their endeavor with Grand Strand Water and Sewer. Mr. Troy stated a written report should be made within (30) days.

Motion was made by Vice Chairperson Smith, seconded by Mr. Shaw, and carried unanimously, to go into executive session for an economic development matter on project Green Leaf, and an economic development matter that dealt with special legislation and (2) legal matters.

Motion was made by Mr. Atkinson, seconded by Mr. Shaw, and carried unanimously, to close executive session and reopen the regular scheduled meeting. Chairman Collins stated that no action was taken during executive session called for an

economic development matter on project Green Leaf, and an economic development matter that dealt with special legislation and (2) legal matters.

There being no further business to discuss, motion was made by Mr. Troy, seconded, by Vice Chairperson Smith, to adjourn the meeting at approximately 10:21 P.M.

Buddy Collins, Chairman

Elista H. Smith Vice Chairperson

John Q. Atkinson, Jr.

(absent)

Allen W. Floyd

Simon Jenkins, Chaplain

Thomas E. Shaw

Milton W. Troy, II

G. Timothy Harper, Administrator

Charles L. McLain, III County Attorney

Sabrina Davis, Clerk to Council